

SPECIAL CITY COUNCIL MEETING
NOVEMBER 4, 1998

PRESENT

R. Dale Roper
Wesley Bloomfield
Gayle Bunker
Bruce Curtis
Robert Dekker
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

ALSO PRESENT

Dorothy Jeffery
Richard Waddingham
Neil Forster
Judy Baker
Deb Greathouse
Karen Johnson
Greg Schafer
Craig Applegate
David Jorgensen
Kenneth Topham
District

City Recorder
City Attorney
Public Works Director
City Treasurer
City Librarian
City Employee
City Employee
Spring Creek Youth Ranch
Spring Creek Youth Ranch
Superintendent, Millard School

Mayor Roper called the meeting to order at 5:30 p.m. Dorothy Jeffery, City Recorder, acted as Secretary. Mayor Roper stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, by personal delivery, at least two days prior to the meeting.

Council Member Gayle Bunker offered an invocation, after which Mayor Roper led those in attendance in the Pledge of Allegiance.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

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NEW BUSINESSMAYOR R. DALE ROPER: CANVASS VOTES OF SPECIAL BOND ELECTION HELD
TUESDAY, NOVEMBER 3, 1998

Mayor Roper noted that a special bond election for the proposed library expansion project was held on Tuesday, November 3, 1998. City Recorder Dorothy Jeffery reported that two precincts were counted, with a total of 1,124 ballots cast on the special bond election; 749 (85.11%) votes in favor and 131 (14.89%) votes opposed, resulting in the special bond election passing for the remodeling and new construction on the Delta City Library.

Council Member Gayle Bunker MOVED to accept the canvass of the votes of the Delta City Special Bond Election for issuance of bonds for the remodel and new construction of the Delta City Library, showing two precincts being counted, a total of 1,124 ballots cast, 749 votes in favor and 131 votes opposed. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

CRAIG APPLGATE, SPRING CREEK YOUTH RANCH: PROPOSED RESIDENTIAL
TREATMENT PROGRAM FOR YOUTH

Mayor Roper reported to the Council that Mr. Craig Applegate and Mr. David Jorgensen had met with Mayor Roper, Council Member Dekker, and City Recorder Dorothy Jeffery on October 27, 1998 regarding Spring Creek Youth Ranch, which they would like to locate in Delta. At that time, Mayor Roper requested that they come to this meeting to discuss their proposal to the Council.

Craig Applegate approached the Council to outline the proposal of Spring Creek Youth Ranch to bring a residential treatment program housing 16 girls, ages 12 to 18, in Delta. The girls would be in State custody. Spring Creek Youth Ranch has a contract with the State of Utah to offer treatment to these girls, and are looking for a building to house them. They are working with Mr. Martin Anderson, owner of the Budget Motel, who is willing to remodel the upper floor of the motel to meet State requirements for a residential treatment center. They plan to house the girls 4 per room by installing bunk beds in each room. However, in meeting with Zoning Officer Neil Forster, they were advised that there is a zoning problem with locating a residential treatment facility at the Budget Motel.

Mayor Roper noted that the Budget Motel is located in the Commercial Development zone and human treatment facilities, either restrained or unrestrained, are allowed only in the Industrial zone. In order to locate the Spring Creek Youth Ranch in the Budget Motel, a conditional use permit must be requested from the Planning & Zoning Commission.

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Mr. Applegate is currently a foster parent and has four of these troubled teenagers in his home at present. The residential treatment facility would provide counseling, therapy, education and teach life skills on site. The residents would not be out in the community until such time as they have earned the right to leave the treatment center for short periods of time and, at those times, they would be accompanied by a staff person.

Council Member Swalberg asked what the ranch residents would do for recreation and exercise. Mr. Applegate answered that they would provide physical education classes as a part of the education program and they would look into renting areas in Delta for occasional recreational and physical education use.

Mayor Roper asked if all education would be done on site in order to avoid an impact on the local school district. Mr. Applegate answered that the only students who would be in the local schools would be family members of staff persons. He added that the local school district could, however, count the girls in the treatment center as students for State funding. Mr. Applegate also stated that the education program at the treatment center would come under the direction of the local school district for approval of teachers. Mr. David Jorgensen interjected that all teachers at the center must be certificated teachers and the State of Utah might want the local school district to verify that the teachers are certificated.

Mayor Roper noted that Spring Creek Youth Ranch has indicated that they would like to expand to include up to 64 girls. A question was asked that if the center were expanded to 64 residents, would all of the teaching still be done on site? Mr. Applegate answered all teaching, as well as all other programs, would be done on site.

Mayor Roper felt that the greatest hurdle for the treatment center would be the zoning and advised Mr. Applegate and Mr. Jorgensen that the zoning problem was the reason that he had asked them to come before the Council at this meeting.

Council Member Swalberg asked if the food service would be provided on site. Mr. Applegate told the Council that the motel would be remodeled to provide a food service area. All of the girls would be required to obtain a food handler permit and would work on meal planning and food preparation under the direction of a licensed dietitian.

Zoning Officer Neil Forster noted that the zoning ordinance provides for a conditional use permit for any use which would be in harmony with the zone. The classification of treatment facilities, either restrained or unrestrained, would fit into the Industrial zone.

Council Member Robert Dekker asked how custody of the youth would be maintained. Mr. Applegate explained that an alarm system would be installed in the windows and there would be a person at each exit door, in order to insure custody. There will be one main entrance to

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the facility and the fire escape doors. In addition, the doors to the sleeping rooms will be removed so that a staff person can look into the rooms at all times, and a head count will be taken every fifteen minutes. In addition, a staff person will be sleeping outside the doorways at night.

Council Member Glen Swalberg if there has been any history of violence in these facilities. Mr. Applegate stated that he has not personally worked with any violent situations, but it has happened. One room would be used for a lock down room for anyone who might become violent.

Council Member Swalberg asked why Delta had been picked as a possible site for the facility. Mr. Applegate advised the Council that he and Martin Anderson, owner of the Budget Motel, had a mutual friend who knew of another facility being operated out of a remodeled motel and knew of Mr. Applegate's desire to open a facility.

Council Member Dekker asked whether or not this facility would be required to take any girl who might be assigned by the Juvenile Court. Mr. Applegate indicated that the treatment facility can refuse to take any girl. Background checks will be done on girls assigned to the facility, as well as all staff persons.

Council Member Bloomfield asked about insurance carried by Spring Creek Youth Ranch and what liability might fall on Delta City in the event of a problem at the facility. Mr. Applegate stated that Spring Creek Youth Ranch has insurance to cover any problems at the center. City Attorney Richard Waddingham asked what the insurance policy limits were and Mr. Applegate provided Attorney Waddingham with a copy of the insurance agreement showing types of insurance coverage and limits to be carried by Spring Creek Youth Ranch.

Council Member Bruce Curtis asked if there was any guaranty that the girls would not be removed and replaced with boys. Mr. Applegate indicated that their contract with the State of Utah is for girls - in order to operate the facility for boys, a new contract would need to be obtained from the State to treat boys.

Council Member Gayle Bunker noted that his daughter works for a residential treatment facility in southern Utah, which houses over 200 individuals, and they have not had any problems with the youth at that facility.

Council Member Swalberg asked if all the staff persons would be moving into Delta or whether some would be hired locally. Mr. Applegate indicated that the majority of the staff would be moving into the area. Council Member Swalberg also questioned the lack of area near Budget Motel which could be used for recreation. Mr. Applegate stated that Mr. Anderson plans to remove part of the paved area in order to plant grass and install a fence. Council Member

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Swalberg stated that he believes the Delta area would be a good place for a treatment facility of this type inasmuch as there are many areas available for recreation.

Council Member Swalberg asked whether the contract with the State of Utah could be canceled in the event the program does not work out in Delta. Mr. Applegate indicated that, in the event the Spring Creek Youth Ranch does not, for some reason, work out, they can call the State to advise them that the treatment center is not working out and request that the girls be assigned to another treatment facility.

Superintendent Kenneth Topham noted that, if the girls are being taught in the school district, the local school district is responsible to insure their education. Superintendent Topham indicated that he is aware of what these facilities are and how they work.

Council Member Dekker asked if the expansion to 64 girls would be a maximum number, to which Mr. Applegate answered in the affirmative.

City Recorder Dorothy Jeffery questioned the removal of doors from the sleeping rooms, thus removing privacy for the girls. Mr. Applegate stated that removal of the doors is a safer alternative because staff members can just glance into the rooms to make certain there are no problems in the room.

Mayor Roper asked Mr. Applegate if there was a problem with violence at any of the facilities he has worked with. Mr. Applegate indicated that violence has not been a problem because the girls are controlled by two staff members at all times.

Council Member Glen Swalberg asked what the success ratio is for these programs. Mr. Applegate stated that, in southern Utah, the success rate is about 85%. Mr. Jorgensen told the Council that the secret to success in these programs is duration. The girls need to stay long enough to effect a change in behavior, so these girls will be in the treatment program for a year or more.

In response to a question by Mayor Roper, Mr. Applegate reiterated that, at any time any of the girls are outside the treatment center, they would be accompanied by a staff person and, normally, it takes six months or more for the girls to earn the right to leave the facility for short trips into the community.

Council Member Dekker asked Mr. Applegate what the time table is for opening the treatment center, to which Mr. Applegate responded that they would like to open in January, 1999. Mr. Applegate also noted that he has been working with Senator Hatch in attempting to pass the S-10 bill, which would provide for first offenders to be put into these programs right away in order to begin changing behavior before it becomes habit.

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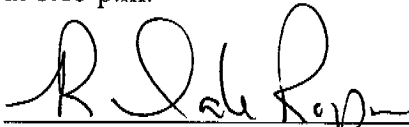
Mayor Roper thanked Mr. Applegate and Mr. Jorgensen for their information and indicated that there is a need for this type of facility.

OTHER BUSINESS


Council Member Wesley Bloomfield expressed concern over the dark parking area at the library. He stated that the area is so dark that, unless a person knows the operating hours of the library, it would appear that everything is closed up at that end of the building. Council Member Bloomfield requested that additional lamp posts be installed in order to light up the area. Mayor Roper asked Public Works Director Neil Forster to look into additional lighting in the parking area for the library. City Librarian Deb Greathouse noted that the doorway is also extremely dark and requested that lighting at the doorway be considered also.

Mayor Roper asked if there were any other comments, questions, or other business to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn the meeting. The motion was SECONDED by Council Member Robert Dekker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Roper declared the meeting adjourned at 6:15 p.m.



R. DALE ROPER, Mayor



DOROTHY JEFFERY, City Recorder

MINUTES APPROVED: RCCM 11-23-98